

Wiemhoff, John

From: David Bender <bender@benderwesterberg.com>
Sent: Tuesday, February 02, 2016 4:05 PM
To: Wiemhoff, John
Subject: RE: Oshkosh FOIA

OK. Thanks.

From: Wiemhoff, John [mailto:wiemhoff.john@epa.gov]
Sent: Tuesday, February 02, 2016 3:53 PM
To: David Bender
Subject: RE: Oshkosh FOIA

David:

The concerns raised in the EPA Nov 20, 2012 from Kevin Pierard to Mike Lemcke was about the need for the appropriate P limit for a proximate discharge to Lake Winnebago. This letter was referenced in the document and the pages your referenced below: http://midwestadvocates.org/assets/resources/Petition%20for%20Corrective%20Action/2015-10-19_PCA_-_Signatures.pdf

As issued, the Oshkosh permit included a limit of .04 mg/l as a 6 month average and 0.12 mg/l as a monthly average, albeit both tied to a compliance schedule for final implementation of equipment to achieve these limits. In the interim, a monthly average limitation of 1.0 mg/l is the placeholder.

That was the only significant item discussed in the 11/20/12 EPA letter with respect concerns with the draft permit. Earlier, some, other than blending provisions were discussed with Oshkosh and other communities, but this issue was addressed in the WI SSO Rules, also several years ago.

Not sure the mercury variance issue would be part of any "objection" issue.

John

From: David Bender [mailto:bender@benderwesterberg.com]
Sent: Tuesday, February 02, 2016 3:30 PM
To: Wiemhoff, John <wiemhoff.john@epa.gov>
Subject: RE: Oshkosh FOIA

I do not know, since I have not seen the P limits or mercury variance limits documents. But we can limit the request to whatever was in the objection, and related correspondence/documents (presumably, that is the P issue).

From: Wiemhoff, John [mailto:wiemhoff.john@epa.gov]
Sent: Tuesday, February 02, 2016 3:16 PM
To: David Bender
Subject: RE: Oshkosh FOIA

David:

Based on what you have stated below, I did not plan on including the documents relating to the mercury variance request, as the main issue seems to revolve around the setting of appropriate P limits by WDNR.

Would you agree?

Thanks
John

From: David Bender [<mailto:bender@benderwesterberg.com>]
Sent: Thursday, January 28, 2016 11:31 AM
To: Wiemhoff, John <wiemhoff.john@epa.gov>
Subject: RE: Oshkosh FOIA

John,

The documents I am requesting relate to the objection referenced on page 26 of this document (pdf file page 29):
[http://midwestadvocates.org/assets/resources/Petition%20for%20Corrective%20Action/2015-10-19_PCA -
_Signatures.pdf](http://midwestadvocates.org/assets/resources/Petition%20for%20Corrective%20Action/2015-10-19_PCA_-_Signatures.pdf)

I do not know what documents exist, other than the objection from EPA. Presumably, there is both internal and external (i.e., with Wisconsin DNR and the City) correspondence related to the objection. The request includes those documents as well.

Let me know if there is anything further I can provide.

Enjoy the snow at Rib Mtn.

Regards,

David C. Bender
Bender Westerberg LLC
10 E. Main Street, Suite 800
Madison, WI 53703
608.310.3560 phone

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From: Wiemhoff, John [<mailto:wiemhoff.john@epa.gov>]
Sent: Thursday, January 28, 2016 11:14 AM
To: David Bender
Subject: Oshkosh FOIA

David:

I was assigned this FOIA on Tuesday (01/26/16), and I will be assembling the requested information. I left you a voice mail indicating such.

FYI: I will be out of the office tomorrow and Monday (up in Wausau WI skiing).

If you want to touch base with me and provide any more information re: what you are requesting, please feel free to call me.

Thanks and regards,

John Wiemhoff
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